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PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	Brian J. Brown and Michael L. Davis
Application No.:	09/666866
Filed:	September 20, 2000
For:	Improved Longitudinally Flexible Expandable Stent
Examiner:	Paul Prebilic
Group Art Unit:	3738

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Docket No.: S63.2N-5605-US04**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$330.00.

- Application claims small entity status. See 37 CFR 1.27.
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 22-0350.
- A Petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

CONDITIONAL PETITION FOR EXTENSION OF TIME

In the event a petition for extension of time is required and has not otherwise been requested or in the event the period specified is incorrect please consider this a petition for the appropriate extension therefore.

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Notice of Appeal

I am the attorney or agent of record.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

By:

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Date: August 23, 2004

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